

Customer No.: 31561  
Application No.: 10/064,611  
Docket No.: 9097-US-PA

## **REMARKS**

### **I. Present Status of the Application**

The Office Action rejected claims 1, 2 and 4-6 under 35 U.S.C. § 102(b) as being anticipated by Kashimura et al. (US 5,182,581). The Office Action rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Kashimura et al. in view of Elliot et al. (US 5,671,001).

Upon entry of the amendments in this response, claim 1 is amended. Hence, claims 1-6 remain pending in the present application, with claim 1 being independent claim. The amendment of claim 1 is supported by, for example, specification, in paragraphs [0008] and [0017]. Applicants believe that the foregoing amendments do not introduce new matter. Thus, reconsideration of those claims is respectfully requested.

### **II. Response to Rejections**

#### **A. Rejections under 35 U.S.C. § 102(b)**

The Office Action, at pages 2-3, rejected claims 1, 2 and 4-6 under 35 U.S.C. § 102(b) as being anticipated by Kashimura et al. (US 5,182,581). Applicants respectfully traverse the rejection as applied to the amended claims for at least the reasons set forth below.

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To anticipate a claim, the prior art reference must teach each and every element of the claim, and the elements must be arranged as required by the claim. M.P.E.P. § 2131.

The independent claim 1, as amended, is directed to an ink storage unit comprising an ink tank and an ink storage body, wherein an outer surface of the ink storage body is provided with "a plurality of notches creating gaps that are distributed along an interface between the outer surface of the ink storage body and the inner sidewall of the ink tank" (emphasis added) thereby the outer surface of the ink storage body locally does not contact with the inner sidewall of the ink tank.

Kashimura et al., however, teach a feature rather different from the foregoing feature of the claimed invention. Kashimura et al. disclose that ribs 4B and 10B are formed on the inner surface of the sidewalls and bottom of the ink tank, and the ribs have sharp edges that wedge in the porous members sealed in the ink tank, which blocks air and bubbles in the ink tank from moving through a gap between ink tank wall and porous member to the ink discharge unit (col. 7, lines 15-20; Figs. 3-9, 16 and 17). Apparently, Kashimura et al. teach a feature rather different from that of the claimed invention; claim 1 recites that a plurality of notches are formed on the outer surface of the ink storage body to create gaps between the outer surface of the ink storage body and the inner sidewall of the ink tank, but Kashimura et al. teach that a plurality of ribs having sharp edges are formed on the inner sidewalls and bottom of the ink tank to block the gap between the outer surface of the ink storage body and the inner sidewall of the ink tank.

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Therefore, Kashimura et al. do not anticipate claim 1, as amended, since Kashimura et al. do not disclose each and every element of the claims. Also, Kashimura et al. do not anticipate claims 2 and 4-6 due to their dependency on claim 1.

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

**B. Rejections under 35 U.S.C. § 103(a)**

The Office Action, at page 4, rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Kashimura et al. in view of Elliot et al. The Examiner states that Kashimura et al. disclose all the claimed limitations except that the notches are respectively formed from circular recesses that run around the outer surface of the ink storage body but that Elliot et al. disclose such notches of circular recesses. Examiner further asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Elliot et al. teaching into Kashimura et al.'s teaching for the purpose of preventing ink from being pushed out of the orifice of the printhead thereby causing undesired drool of ink. Applicants respectfully traverse the rejection.

To establish prima facie obviousness of a claimed invention, all the claim limitation must be taught or suggested by the prior art. M.P.E.P. § 2143. When applying to obviousness rejections, the references as well as the claimed invention must be considered as a whole, and the

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references must suggest the desirability and thus the obviousness of making the combination.

M.P.E.P. § 2141.

Claim 3 recites that the notches creating gaps that are formed as “circular recesses that run around the outer surface of the ink storage body” (emphasis added). As dependent upon claim 1, the claim 3 inherits all features about the “notches” in the “outer surface of the ink storage body” recited in the claim 1. The notches are created to form gaps that locally separate the outer surface of the ink storage body from the sidewall of the ink tank so as to cut off ink flowing there along.

As discussed in the foregoing section, Kashimura et al. do not teach all features recited in claim 1 upon which claim 3 depends. Kashimura et al. do not make any suggestion to form notches like that in the claimed invention. Moreover, Kashimura et al. teach that the ribs are formed on the inner sidewalls and bottom of the ink tank for blocking the gap between the outer surface of the ink storage body and the inner sidewall of the ink tank (col. 7, lines 15-22; col. 10, lines 32-39).

Even though Elliot et al. teach a plurality of relief pockets (for example, 213, 215 and 217 in Fig. 2; Fig. 4) defined by ribs around the inner sidewalls of the ink tank (col. 5, lines 24-39; Figs. 32-4 and 6), Elliot et al., like Kashimura et al., teach formation of ribs to block the gaps between the gap between the outer surface of the ink storage body and the inner sidewall of the ink tank. On the other hand, Elliot et al. teach a plurality of slots (303 and 305 in Fig. 3) to allow air exchanging between the relief pockets (col. 4, lines 45-65; col. 5, lines 24-42). Elliot et al. do

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not teach at all "notches creating gaps" that are distributed along an interface "between the outer surface of the ink storage body and the inner sidewall of the ink tank" that can solve the problem as mentioned in this invention. Therefore, there is no suggestion and, due to significant differences of structural features and purposes between the claimed invention and the reference teachings, there should have been no motivation by Elliot et al. to make the requisite combination or to modify Kashimura et al.'s teaching to create the invention recited in claims 1 and 3.

It is clear that, when the reference teachings are considered as a whole, there is no requisite suggestion or motivation to combine or modify the reference teachings. Therefore, claim 3 is not rendered obvious over the prior art references.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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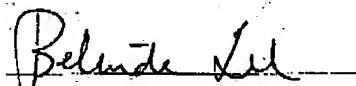
### CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-6 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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